

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

MARVIN THOMPSON,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CASE NO. 3:06-CV-160-WKW
	)	(WO)
STEVEN WOODS, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**ORDER**

On May 15, 2006, the Magistrate Judge filed a Recommendation (Doc. # 20) in this case, finding that the plaintiff's Amended Complaint (Doc. # 13) is due to be dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B)(i) and (ii), on the grounds that the complaint is frivolous or malicious and fails to state a claim on which relief may be granted. The plaintiff filed an objection on May 25, 2006 (Doc. # 21).

After an independent and de novo review of the record, the Court finds that the plaintiff's complaint fails to state a claim on which relief may be granted. Accepting all of the plaintiff's allegations as true, the Court finds that the defendants would prevail on the defense of qualified immunity, as asserted in their answer and as noted by the Magistrate Judge.

Therefore, it is the ORDER, JUDGMENT and DECREE of the court that:

1. The plaintiff's objections are OVERRULED.
2. The Recommendation of the Magistrate Judge is ADOPTED on the ground that the plaintiff's Amended Complaint fails to state a claim on which relief may be granted under 28 U.S.C. § 1915(e)(2)(B)(ii).
3. The plaintiff's claims are DISMISSED with prejudice.

An appropriate judgment will be entered.

DONE this the 16th day of June, 2006.

/s/ W. Keith Watkins  
UNITED STATES DISTRICT JUDGE